

TITLE 438 – CENTRAL FILING INFORMATION REGARDING AGRICULTURAL PRODUCTS

Chapter - DEFINITIONS

001. In addition to the agricultural commodities and species of livestock set forth in section 8 of LB 1, Legislature of Nebraska, Eighty-Ninth legislature, Third Special Session, there is hereby added to the specified list of Farm Products; Bees.

01.01. In order to obtain U.S.D.A. certification and comply with federal law, section 1324 of the Food Security Act of 1985m Public Law 99-1987, the following products are deleted from the definition of farm products;

001.01A Legumes, Fur-Bearing Animals

01.02 In addition to the agricultural commodities and species of livestock set forth in section 8 of LB 1, Legislature of Nebraska, Eighty-Ninth Legislature, Third Special Session, there is hereby added to the specified list of Farm Products; millet and safflower. These commodities are to become part of the Central Filing System effective at the beginning of the first calendar quarter occurring 30 days after approval of such addition is received from the U.S.D.A.

Annotation LB 1 – Statute 8-and 15

Chapter 2 - TIME OF EFFECTIVENESS OF EFS AND RELATED DOCUMENTS.

01. An Effective Financing Statement, and amendment, continuation, or termination thereof, is not a part of the Master List of the Central Filing System created pursuant to LB 1, Legislature of Nebraska, Eighty-Ninth Legislature, Third Special Session, and not effective as notice to any registrant or person inquiring until the document has been properly filed with the filing officer, such filing officer has caused the information is contained in the Master List of the Central Filing System.

Chapter 3 - WORKING DAY DEFINED.

01. Working day shall mean for the office involved a day when the office is open for the transaction of that office's normal business. A working day shall not include a weekend day or a holiday.

Chapter 4 - DATE AFTER WHICH AN EFFECTIVE FINANCING STATEMENT FILING WILL NOT APPEAR ON QUARTERLY LISTINGS.

01. In order for the information contained in an Effective Financing Statement or an amendment or continuation thereof to appear on the next quarterly lists distributed pursuant to section 12(6) of LB 1, Legislature of Nebraska, Eighty-Ninth Legislature, Third Special Session, such Effective Financing Statement amendment or continuation shall be filed on or before the last working day of the month preceding the date on which lists will be mailed pursuant to Chapter 5.

Annotation LB 1 Section 12(6)

Chapter 5 - DATE FOR QUARTERLY DISTRIBUTION OF LISTS RELATING TO EFFECTIVE FINANCING STATEMENTS.

01. The lists required to be distributed on a quarterly basis pursuant to section 12(6) of LB 1, Legislature of Nebraska, Eighty-Ninth Legislature, Third Special Session, will, after the first distribution, be mailed from the Secretary of State's Office by the Fifth working day of January, April, July and October.

01.01 Lists for any quarter will remain effective until the next quarterly lists are received.

Chapter 6 - DATES OF WHICH BUYERS MUST REGISTER

01. In order to receive the next quarterly list or lists pursuant to Section 12 of LB 1, Legislature of Nebraska, Eighty-Ninth Legislature, Third Special Session, a registrant's properly completed registration form accompanied by the correct registration fee and list fees must be received by the Secretary of State on or before the following dated:

01.01 Dates:

001.01A - To receive statewide lists – the last working day of the month preceding the month in which lists will be mailed pursuant to Chapter 5.

001.01B - To receive a special list (a list limited to fewer than all counties or less than all crop years) - - five working days prior to the end of the month preceding the month in which lists will be mailed pursuant to Chapter 5.

02. Any Registrant's whose properly completed registration form accompanied by the correct registration and list fees is received before the 15th day of the month preceding the month in which lists will be mailed pursuant to Chapter 5 shall receive a list or lists for the product, years, and counties covered by the registration. Such a list or lists shall reflect for statewide lists the information on the Master List at the beginning of the calendar quarter during which the registration was received and for special lists the information on the Master List as of the date the list or lists are prepared by the Secretary of State. Such list or lists will be mailed within 15 days after receipt of the Registration by the Secretary of State.

Chapter 7 - EFFECTIVE DATE OF REGISTRATION

001. A registration shall be effective the date that the first list for which the registration is effective is received. Date of receipt is the date actually received or the first date upon which delivery is attempted by the carrier, whichever is earlier. In all cases, date of receipt shall be presumed to be ten days after mailing.